



MINUTES

Committee on Public Services

Wednesday, May 2, 2012 – 12:00 p.m.

Tenth Floor Conference Room – Lansing City Hall

CALL TO ORDER

The meeting called to order at 12:05 p.m.

ROLL CALL

Councilmember Jessica Yorko, Chair, Public Services
Councilmember Tina Houghton, Vice Chair, Public Services
Councilmember Kathie Dunbar, Member, Public Services

James Marshall, Jr., First Ward Member, Public Service Board
Alfreda Schmidt, Second Ward Member, Public Service Board
Cleophus Anderson, Third Ward Member, Public Service Board - excused absence
Ronald Bloomberg, Fourth Ward Member, Public Service Board – excused absence
Matt Flechter, At Large Member, Public Service Board
Shirley Rodgers, At Large Member, Public Service Board
Paul Baerman, At Large Member, Public Service Board

OTHERS PRESENT

Diana Bitely, Council Staff
Sara Sturing, Law
Chad Gamble, Public Services
Christopher Mumby, Public Services
Angela Wittrock, MLive

APPROVAL OF MINUTES

COUNCILMEMBER DUNBAR MADE A MOTION TO APPROVE THE MINUTES OF NOVEMBER 16, DECEMBER 7, 2011. MOTION CARRIED, 3-0.

COUNCILMEMBER HOUGHTON MADE A MOTION TO APPROVE THE MINUTES OF THE APRIL 18, 2012 COMMITTEE MINUTES, AS SUBMITTED. MOTION CARRIED, 3-0.

PUBLIC COMMENT ON AGENDA ITEMS

None

DISCUSSION/ACTION

Discussion with the Public Service Board

Councilmember Yorko provided a brief overview of the issues that Public Service Committee have been working on such as implementing a Bicycle Parking Ordinance, Burchfield Flooding grant inquiries for flood damaged homes, the Snow Removal Ordinance, which is seeing some notification changes since last year in tightening up the gap between the fines incurred and the assessment of the fines.

Mr. Baerman updated the Committee on the work that the Board has been doing with the Sidewalk Gap Closure. He spoke to the lack of funding and stated that it remains a high priority for them. We have consistently in our letters of recommendation made sidewalk gap closures our highest priority for years now. The other priority is road repairs, which is also a high priority. The two issues are also tied to safety concerns with providing sidewalks and/or safe walking spaces for the residents.

Councilmember Yorko stated that there is a Walkability Study being done by Mid-MEAC.

Councilmember Dunbar commented that there has been a great response with volunteers for the study/audit that Mid-MEAC is conducting.

Mr. Gamble stated that the Public Service Department has not yet been provided the full database, but they have been provided the bones of the pending information in anticipation of the completion of the audit/study.

Ms. Rodgers stated that back in 2005; the Department followed the direction of Council and came up with a gap closure plan. The Department had a timeline of when that gap closure would be completed, which has been altered because as people change, priorities change. Council has made adjustments in the budget that have impacted the progress of the gap closure. Council had reduced the assessment for sidewalks to 50% which took away from monies that could potentially have been allocated toward sidewalk gap closure.

Ms. Schmidt commented on the shift of priorities and stated that the city has no ability to move this program forward. She strongly encourages the Council, during the budget process, to make funds available to individuals who need sidewalks but cannot afford

the assessment for safe walking spaces whether it is repair/replacement of a worn sidewalk or installation of a new sidewalk.

Mr. Gamble spoke briefly on CDBG funds that are available to qualified individuals in approved CDBG areas.

Councilmember Yorko questioned if sidewalk assessments can be paid over time or must be paid all at once.

Mr. Gamble stated that it depends on the amount of the assessment, but certainly there are instances where payment over time is accepted. The sidewalk gap projects that we are installing are projects that are able to be funded with CMAC dollars and providing the matching dollars. We can make our investments go farther using these dollars. There are some sidewalk gap closures that qualify for grants and some that do not and it is a huge benefit to the city and the residents when grant dollars are available. There is \$115,000 in the budget this year for gap closure.

Councilmember Dunbar questioned if sidewalk repair falls under the 50% assessment.

Mr. Gamble responded that with repairs the city incurs that cost. We pay on average nearly 70% of the project costs for new construction of sidewalks; there are truncated dome issues, domes, intersections and ensuring ADA compliance requirements.

Mr. Flechter stated that there is a difference between gap closures and repairs. Public Safety is the number one priority and if we are not investing in filling in the gaps of sidewalks, then we are not placing public safety at the top of the priority list. We must find a way to fund this plan and stop putting it off.

Councilmember Yorko questioned what the remaining cost to fill in the sidewalk gaps now.

Mr. Baerman stated that he believes it to be near to the same amount as it was back in 2005.

Councilmember Dunbar stated that part of the issue is that the available grants are not always available for the priority one areas.

Councilmember Yorko questioned if the Board believes the city should return to the 100% assessment and offer access to an emergency fund.

Mr. Flechter stated that there are high and low priority gap closures and the high priority sidewalks need to be addressed and the only way to do that is the 100% assessment.

Ms. Sturing stated that she will look into the legality of a differing assessment.

Councilmember Dunbar stated that she believes assessing different amounts or at differing percentages for the same type of work would open up legal issues. This is based on a conversation she had with the City Attorney.

Councilmembers Dunbar and Yorko stated their support of reconsidering a 100% assessment.

Councilmember Dunbar stated that in the Parks Department there is a fund set aside for kids who cannot afford summer recreational classes and she believes that there are some funds within this that could be used for sidewalks.

Ms. Rodgers stated that some Federal guidelines have changed within the last year and she believes it is worth exploring if there have been changes in the legislation as it relates to this issue.

Councilmember Dunbar stated that she will talk to the Planning Department about the possibility.

Councilmember Yorko questioned if the Board would like to take the conversation to Council, inviting the Public Service Department.

Councilmember Dunbar suggested talking the conversation to Committee of the Whole next to ensure that the Boards and the Committees concerns about public safety, specifically as it relates to the sidewalk gap closure.

Mr. Baerman stated his support for taking this conversation to the full Council and to the public as it is the Boards top priority and has been for a number of years.

Councilmember Dunbar stated that the surge of the progress with the sidewalk gap closure started with the fatality that originally opened the conversation.

Councilmember Yorko requested staff to obtain Michigan crash reporting database that tags if the accident involves a pedestrian or a bicyclist. The information also included (Dave Emmons) reports of the ones that resulted in fatalities. She would like to know what has happened since 2005 up until 2011.

Ms. Rodgers stated that the focus should be on public safety and not just sidewalks, but open the discussion to include bicyclists and motorcyclists, mopeds, etc.

Ms. Schmidt commented on a resident on Britton who is dealing with a sidewalk that is raised unevenly in front of her home. She is 90 years old and has a broken shoulder due to a fall caused by this sidewalk. She is fearful of talking to the neighbors or the city because she does not feel she can afford the assessment to repair the sidewalk and make it safe not just for her but also for those who walk past her home. She suggested starting a scholarship fund for those individuals who are afraid to report accidents due to sidewalk issues because of the high cost to repair it.

Mr. Marshall reported that AARP had a meeting in Lansing today and went out to try to determine if the sidewalks had good walkability. He questioned if after they complete their study and make a determination about the safety of our sidewalks, would that be reflected to the city via a formal communication.

Councilmember Yorko stated that the information that they are collecting is going into a database that will assist the city in determining which sidewalks need attention immediately.

Councilmember Dunbar stated that Mid-MEAC is GIS mapped to show where the majority of issues are. They are also seeking a way to target the money that is available better and focus on those areas that have the most severe concerns. The Public Service is in their third year of a five year program with Mid-MEAC, but the information is not yet available. Mid-MEAC is working in conjunction with Wayne State University as well to compile and make the information accessible and functional.

Councilmember Yorko encouraged the board to be vocal about its concerns and encourage the Council and the Administration (Mayor) to find funding for this very important issue.

Ms. Rodgers stated that she believes that there are people within the community who will agree to a road millage as the Board had residents some time ago on Berry Street who proposed just that to remedy some high priority road issues in their neighborhood.

Councilmember Yorko suggested coming up with a dollar amount to propose to the remaining Councilmembers.

Councilmember Dunbar questioned the cost per household for a sidewalk assessment, both repair and new construction.

Councilmember Houghton suggested that during the COW meeting, a refresher is given on the history of the sidewalk gap closure.

The Committee and Board agreed to meet quarterly to keep the lines of communication open.

Staff will coordinate with Public Service Board to have them attend the Monday, June 4, 2012 Committee of the Whole at 8:00 p.m.

The Public Service Board adjourned at 1:15 p.m.

Setting a Public Hearing in Consideration of an Ordinance Amendment to Section 1020.06 of the Lansing Codified Ordinances by Extending its Effectiveness Beyond July 30, 2012 and Requiring Compliance Within 16 Hours of Receipt of Notice – Snow Ordinance

COUNCILMEMBER HOUGHTON MADE A MOTION TO SET A PUBLIC HEARING FOR MONDAY, JUNE 4, 2012 IN CONSIDERATION OF AN ORDINANCE AMENDMENT TO SECTION 1020.06 OF THE LANSING CODIFIED ORDINANCES BY EXTENDING ITS EFFECTIVENESS BEYOND JULY 30, 2012 AND REQUIRING COMPLIANCE WITHIN 16 HOURS OF RECEIPT OF NOTICE – SNOW ORDINANCE. MOTION CARRIED, 3-0.

RECEIPT OF COMMUNICATIONS

None.

OTHER

COUNCILMEMBER HOUGHTON MADE A MOTION TO RECOMMEND PASSAGE OF THE BICYCLE PARKING ORDINANCE AT THE MONDAY, JUNE 4, 2012 COUNCIL MEETING. MOTION CARRIED, 3-0.

PENDING

None.

ADJOURN

The meeting was adjourned at 1:30 p.m.

Submitted by,

Diana Bitely, Recording Secretary

Lansing City Council

Approved by the Committee on 6/6/12.

Appropriate documents attached to original set of minutes.



AGENDA

Joint Committee on Public Services/Public Service Board Wednesday, May 2, 2012 – 12:00 p.m. Tenth Floor Conference Room – Lansing City Hall

Councilmember Jessica Yorko, Chair
Councilmember Tina Houghton, Vice Chair
Councilmember Kathie Dunbar, Member

1. Call to Order
2. Roll Call
3. Approval of Minutes
4. Public Comment on Agenda Items
5. Discussion/Action:

A.) Setting a Public Hearing in Consideration of an Ordinance Amendment to Section 1020.06 of the Lansing Codified Ordinances by Extending its Effectiveness Beyond July 30, 2012 and Requiring Compliance Within 16 Hours of Receipt of Notice – Snow Ordinance

B.) Discussion with Public Service Board

6. Other
7. Adjourn
8. Pending

Bicycle Parking Ordinance – ~~June~~ 4, 2012 Passage
COW - Safety - Sidewalks - June 4, 2012 (Public Service Bd)
Mid - MEAC
send Janette Tate
8pm rgst
minutes to Janette
Tate

PUBLIC SERVICE BOARD
2012

OFFICERS: Ron Bloomberg: Chair
Paul Baerman: Vice-Chair

1ST APPOINT Dec. 07	WARD	NAME/ADDRESS	PHONE	TERM EXPIRES
1st		James A. Marshall, Jr. 1233 Coolidge Road Lansing, MI 48912	203-0075 (Home) 974-0746 (Cell) jimmillion0227@aol.com	June 30, 2013
Feb. 02	2nd	Alfreda Schmidt 1414 Lindbergh Dr. Lansing, MI 48910	374-8172	June 30, 2014
Jun. 11	3rd	Cleophus Anderson 4134 Seaway Dr. Lansing MI 48911	853-1393 (Home) 894-3465 (Cell)	June 30, 2015
Oct. 96	4th	Ronald Bloomberg Miller, Canfield One Michigan Ave, STE 900 Lansing MI 48933	485-6867 (Home) 483-4972 (Work) Bloomberg@millercanfield.com	June 30, 2012
May 04	At Large	Matt Flechter 140 Leslie Lansing, MI 48912	373-8422 (Work) 648-3540 (Evening) flechterm@michigan.gov	June 30, 2014
Mar. 05	At Large	Shirley Rodgers 131 E. Jolly Road #E-5 Lansing, MI 48910	394-6419 (Home) Shirley.rodgers@lansingschools.net	June 30, 2011
Oct. 04	At Large	Paul Baerman 2818 N. Cambridge Lansing, MI 48911	485-4742 (Home) 882-4359 (Work) 899-4295 (cell) Paul.Baerman@wilcox.us phbaerman@att.net	June 30, 2012
	At-Large	VACANT		

PUBLIC SERVICE STAFF:
Chad Gamble, Director, 483-4452; Dean Johnson, City Engineer, 483-4458; Paul Stokes, Supt., WWTP, 483-4532; Scott House, Supt., O & M, 483-4165; Christopher Mumby, Departmental Coordinator, 483-4453; Janette Tate, Administrative Asst., WWTP, 483-4406

April 13, 2012

Public Service

Committee

5/2/2012

Date _____

[illegible]

BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, ~~June 4~~, 2012 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of extending its effectiveness beyond July 30, 2012 and requiring compliance within 16 hours of receipt of notice

May 14th -
6/4/12

CITY OF LANSING SNOW CLEARING STANDARDS

A Friendly Reminder

- Who:** The City of Lansing is asking for your help in making public sidewalks safe.
- What:** A City Ordinance that requires property owners not to allow any snow or ice to remain on any public sidewalk adjacent to their property for more than 24 hours after snow has fallen or ice has formed.
- When:** Sidewalks must be kept clear at all times except during a weather event in which snow and ice are continuously accumulating. Property owners will have 24 hours to clear snow or ice after it has fallen or formed the public sidewalk.
- Where:** The public sidewalk within the City of Lansing, including those sidewalks along the front of your property. Those on corner lots are responsible for both the front and side yard sidewalk, including the sidewalk ramps at the intersection adjacent to their lot.
- Why:** Public sidewalks need to be free of snow and ice to provide a safe route for everyday use by your neighbors, postal carriers, school children, the physically challenged, elderly and others.

If you fail to clear the public sidewalk of snow and/or ice within the allotted time period, a City inspector will issue you a violation notice. The notice will be posted on the property and mailed to the owner of record by 1st class mail.

If the sidewalk has not been cleared after notification, City crews will clear it and you, the property owner, will be assessed the cost of the work which includes an administrative fee.

The first 20 minutes of clearing by the City will cost you \$116.33, with every additional 20 minutes effort thereafter costing an additional \$48.79.

The costs associated with the City's removal of snow and/or ice from the sidewalk adjacent to your property will become a lien upon your property. This lien will be in the form of an assessment. The City will follow the State required assessment process, which includes a public hearing where you may plead your case to the City Council.

FAQs:

Q: Why did the City revise this ordinance?

A.: The ordinance requiring property owners to keep their sidewalks clear of snow and ice has been around since the 1890's. This revision allows the City to clear and charge the associated costs to the property owner.

Q: Why do I have to remove snow and ice from the “Public” sidewalk?

A: Like many communities throughout the snowier regions of our country, there are limited resources available to handle the removal of snow and ice from the public street system and sidewalks. Since the 1890’s, our community relied on the property owners to maintain the public sidewalks adjacent to their land, freeing up valuable City resources to clear the streets.

Q: The snow stopped at 11:00 this morning. How long do I have to clear my sidewalk?

A: By City Ordinance you have until 11:00 tomorrow morning, 24 hours after the end of a snow event.

Q: Will the ordinance be enforced on weekends or City Holidays?

A: Technically the requirements for keeping your sidewalk clear are continuously in place. However, enforcement activities will generally occur during normal business hours of the City. Under some conditions removal of snow and/or ice may occur during the early evening hours.

Q: What if I don’t clear my sidewalk?

A: A City Inspector will issue you a snow violation notice stating non-compliance. 24 hours after you receive the notice, the sidewalk will be rechecked and if it is still not cleared, it may be cleared by the City.

Q: What will that cost me?

A: Currently the rate is set at \$116.33 for the first 20 minutes of work and \$48.79 for every additional 20 minute of effort necessary to clear snow and /or ice. The City will clear the sidewalks as quickly as possible. These fees reimburse the City for the costs to perform the work and administrate the program.

Q: How does the City know when I received my violation notice?

A: The ordinance states that the notice is “deemed received” at 5pm one day after it is deposited in the mail or on the next mail delivery day after it has been mailed...whichever is later, and failure to receive the notice does not affect the validity of any actions taken.

Q: The City snowplows went through and plowed snow onto my cleared sidewalk. Am I responsible for clearing that?

A: Yes. We ask our drivers to be as careful as possible but some things are un-avoidable and the streets have to get plowed. The snowplows must maintain reasonable speeds to effectively get the snow off the streets. We advise residents with sidewalks close to the street to plan appropriately when/if the snowplows throw additional snow on the sidewalk.

Q: I live on a corner property. Am I responsible for clearing both sides of my property including the ramps down to the street?

A: Yes. The ordinance states “any public sidewalk adjacent to” the property shall be cleared by that owner. This includes any ramps leading down to the street.

Q: I am out of town, away from home, for days or weeks occasionally. What should I do about my snow removal during those times?

A: If you are away from home for any extended period of time you should make arrangements with a friend, relative, neighbor or professional snow removal service to monitor the public sidewalk adjacent to your property for snow and ice removal.

Q: I live on a neighborhood street. Sometimes the City does not plow my street. Why do I have to clear the snow on my sidewalk?

A: Like many communities, the City has a defined policy for clearing snow from streets to enable safe travel for vehicles, with an emphasis on major arterial streets. Sidewalks are used by all types of people during all hours of the day. Keep in mind that children, the elderly, postal workers, and physically challenged people all rely on safe passage routes on sidewalks. If safe passage is not maintained, this creates a hardship for people and worse yet, causes some to use the street as an alternative.

Definitions

Your Sidewalk- any public sidewalk that is adjacent to your property including any ramps leading down to the street whether at corners or mid-block.

Clearing Sidewalk- shoveling and/or salting the adjacent sidewalks the full width of the sidewalk.

Violation Notice - a notice issued by the City notifying property owners that they are in violation of the snow clearing ordinance and that they have 24 hours to clear their sidewalk. This notice is posted at the property and mailed to the property owner.

Weather Event – a winter weather event that causes snow or ice to continuously accumulate.

City Snow Ordinance 1020.06 - Snow & Ice

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
11am Snow Event Ends <div>Property Owner has 24 hours to clear</div>	11am Inspection Begins <div>Notice Posted and Mailed</div>	<div>Mailing Time - 24 hours</div>	<div>24 more hours to clear</div>	<div>City reinspects and can clear</div>	Current Timeline	
11am Snow Event Ends <div>Property Owner has 24 hours to clear</div>	11am Inspection Begins <div>Notice Posted and Mailed</div>	<div>Mailing Time - 24 hours</div>	<div>16 more hours to clear</div>	<div>5pm Notice Deemed Received</div>	Proposed Timeline	
11am Snow Event Ends <div>Property Owner has 24 hours to clear</div>	<div>Notice Posted and Mailed</div>	<div>5pm Notice Deemed Received</div>	<div>8am City reinspects and can clear</div>			

We're Doing It Ourselves!

Volunteer to make our community more walkable.

AARP Michigan and the Mid-Michigan Environmental Action Council are seeking volunteers to help conduct a walkability study in Lansing. We are looking for community residents who can help evaluate the quality of streets and sidewalks from the people who use them, us!

This project will run May through September. Walking a few hours each week will make a difference that will be felt for many years!

Join us for an information session to learn more:

May 1, 2012, 6:30 – 7:30 p.m.

South Side Community
Development Association
1900 Boston Blvd, Lansing, MI 48910

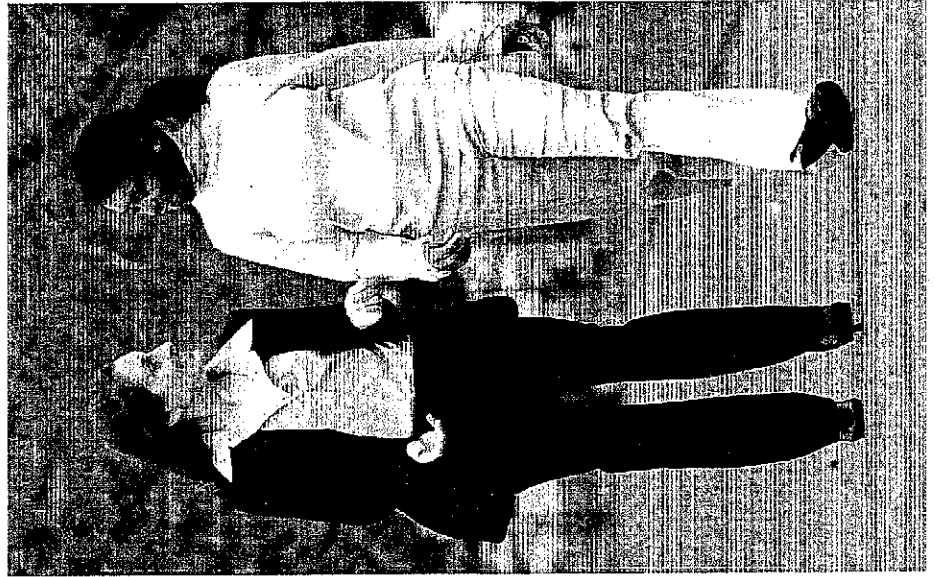
May 2, 2012, 10:30 – 11:30 a.m.

Foster Community Center, Room 205
200 N. Foster, Lansing, MI 48912

Please RSVP by April 27, 2012, by
calling **1-877-926-8300**.



AARP®



Please cut along dotted line, and mail back to us.

**I'd like more information but can't make it to one of the sessions.
Please contact me:**

Name: _____

Street Address: _____

City: _____

State: _____

Zip Code: _____

Phone Number: _____

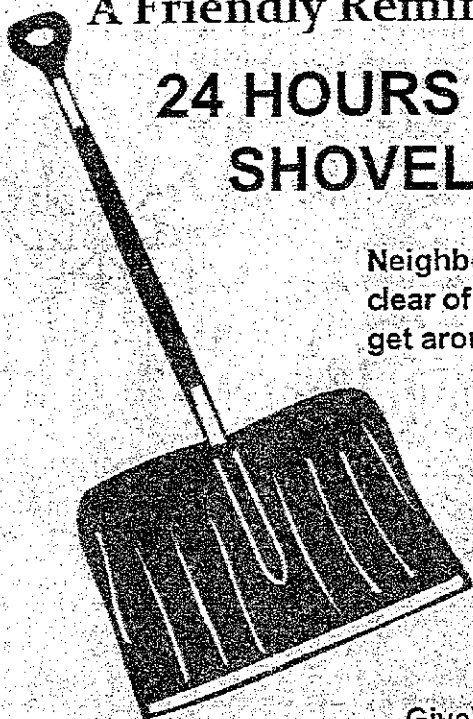
Email Address: _____

Snow Ordinance Data 2010-2012

Description	Totals	
	2010-11	2011-12
Complaint (historically 400-500)	1028	71
Clear (when we inspected 1 st time)	555	20
Initial Inspection/Send Notice	651	56
Re-Inspect (after time elapsed, flagged for recheck)	417	41
Re-Inspected/Owner Cleared	372	41
Re-inspected/Snow Removal Required	235	0
Snow Removed by OM	173	0
Assessed	166	0

Recommended changes to current Ordinance:

Current	Recommended Change
Deemed received 24 hours after mailing	Deemed received 16 hours after mailing



A Friendly Reminder From The City Of Lansing

24 HOURS TO SHOVEL YOUR SIDEWALK

Neighbors rely on sidewalks being clear of snow and ice so that it's easy to get around safely.

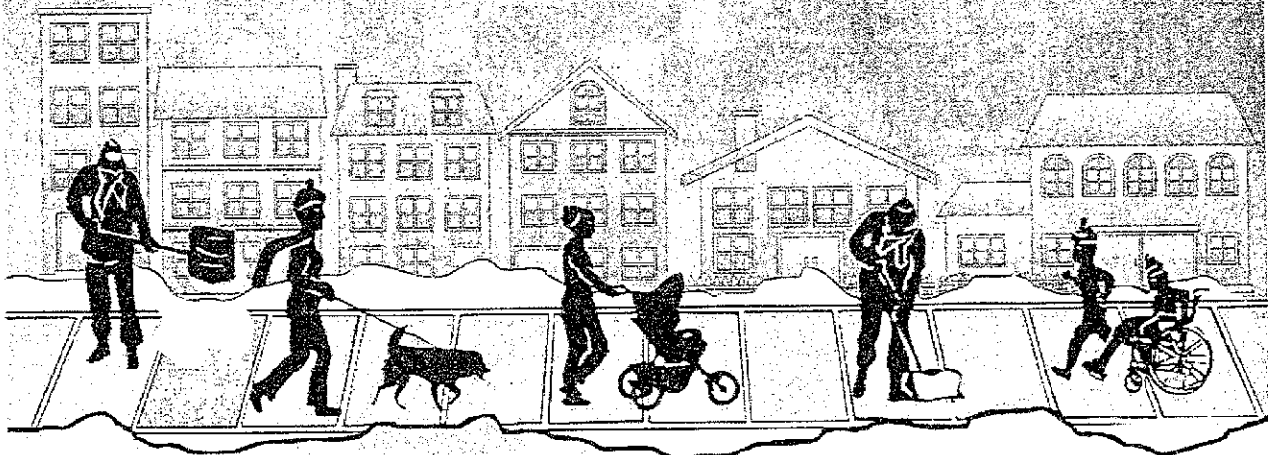
Our city requires that snow and ice be removed from sidewalks within 24 hours after a snowfall.

If you do not clear your public sidewalk it may result in the City clearing it for you at your expense.

Give'em A Break, don't crowd snow plows and salt trucks.

Please do not push or plow snow from private driveways or parking lots into the street.

Do not park overnight on City streets.



Virg Bernero, Mayor

If you need assistance in clearing your sidewalk, please call 2-1-1 for a referral.

To Learn More contact us at
517-483-4455 or stop by online at:
www.lansingmi.gov/sidewalks



Virg Bernero, Mayor

PUBLIC SERVICE DEPARTMENT - ENGINEERING DIVISION

732 City Hall - 124 West Michigan Avenue - Lansing, Michigan 48933

Office: (517) 483-4455 FAX: (517) 483-6082

<http://www.lansingmi.gov/pubserv/>

SNOW VIOLATION NOTICE

WARNING: Failure to comply may result in the City clearing the sidewalk with fees charged to the property owner and/or the issuance of a Municipal Civil Infraction Ticket with a fine.

2209 TULANE DR
33-01-01-02-353-101
Violation Location/Address

You are in violation of the Section 1020.06 of the City Code at the above location in one or more of these following ways:

- a. No person shall permit any snow or ice to remain on any PUBLIC sidewalk adjacent to any house, building or lot owned or occupied by that person, for more than twenty-four hours after the same has fallen or formed.
- b. No person shall place or cause to be placed ice or snow upon a right-of-way so as to impair vehicular or pedestrian traffic.

Your property was inspected at the following date/time: 12/1/2011 11:51:10 AM

Please Note - A notice has also been posted on the property. Please take the action necessary to correct the problem. Properties still needing snow/ice removal ¹⁶24 hours after this notice is deemed received may be cleared at the property owner's expense.

For over 100 years the city has required the removal of snow and ice from sidewalks. This ordinance was recently amended to allow the City the ability to clear sidewalks from snow and ice. The goal of this program is to improve the ability of pedestrians to move safely throughout the City at all times of the year. The City appreciates your efforts to improve safety of our sidewalk system.

If you have already corrected the problem, please disregard this notice. If you have any questions please contact the Public Service Department at 517-483-4455 or you can find more information at <http://www.lansingmi.gov/sidewalks>

Sunday	Monday	Tuesday	Wednesday
Property Owner has 24 hours to clear	11am Inspection Begins	Mailing Time - 24 hours	24 more hours to clear
11am Snow Event Ends	Notice Posted and Mailed	5pm Notice Deemed Received	
	11am Inspection Begins	Mailing Time - 24 hours	16 more hours to clear
Property Owner has 24 hours to clear	Notice Posted and Mailed	5pm Notice Deemed Received	9am City reinspects and can clear
11am Snow Event Ends			

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO ADD CHAPTER
1285 OF THE LANSING CODIFIED ORDINANCES TO REQUIRE AND ENCOURAGE
PROVISION OF BICYCLE PARKING.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1285 be and is hereby added to the Codified Ordinances of the
City of Lansing, Michigan, to read as follows:

CHAPTER 1285. BICYCLE PARKING

1285.01. DEFINITIONS

FOR PURPOSES OF THIS CHAPTER:

APBP GUIDELINES MEANS THE 2ND EDITION OF THE BICYCLE PARKING

GUIDELINES ISSUED BY THE ASSOCIATION OF PEDESTRIAN AND BICYCLE
PROFESSIONALS.

BICYCLE LOCKER MEANS A LOCKED COMPARTMENT FOR THE STORAGE OF A
SINGLE BICYCLE.

BICYCLE PARKING SPACE MEANS A SECURE STRUCTURE DESIGNED AND
AVAILABLE EXCLUSIVELY FOR THE STORAGE OF A BICYCLE.

BICYCLE ROOM MEANS A ROOM WITH CONTROLLED ACCESS FOR USERS OF
BICYCLES TO BE STORED IN THE ROOM.

EXEMPT PROPERTY MEANS PROPERTY (1) LOCATED IN THE G-1 DISTRICT OR AN
OVERLAY DISTRICT FOR WHICH CHAPTER 1279 REDUCES OR ELIMINATES THE
OFF-STREET PARKING REQUIREMENTS OF CHAPTER 1284; AND (2) FOR WHICH
THE PROPERTY OWNER DOES NOT ACTUALLY PROVIDE OFF-STREET PARKING.

1 *NON-EXEMPT PROPERTY IN A G-1 OR OVERLAY DISTRICT* MEANS PROPERTY (1)
2 LOCATED IN THE G-1 DISTRICT OR AN OVERLAY DISTRICT FOR WHICH CHAPTER
3 1279 REDUCES OR ELIMINATES THE OFF-STREET PARKING REQUIREMENTS OF
4 CHAPTER 1284; AND (2) FOR WHICH THE PROPERTY OWNER DOES ACTUALLY
5 PROVIDE OFF-STREET PARKING.

6 *LONG-TERM BICYCLE PARKING SPACE* MEANS BICYCLE PARKING THAT IS
7 COVERED AND ENCLOSED ON ALL FOUR SIDES.

8 *SHORT-TERM BICYCLE PARKING SPACE* MEANS ANY BICYCLE PARKING SPACE
9 THAT IS NOT A LONG-TERM BICYCLE PARKING SPACE.

10 1285.02. REQUIRED BICYCLE PARKING SPACES

11 BICYCLE PARKING SPACES SHALL BE PROVIDED FOR THE BENEFIT OF ANY
12 STRUCTURE IDENTIFIED IN SECTION 1285.04 OR SECTION 1285.05 IF, AFTER THE
13 EFFECTIVE DATE OF THIS ORDINANCE:

14 (a) A SITE PLAN FOR THE PROPERTY ON WHICH THE STRUCTURE IS LOCATED
15 MUST BE SUBMITTED TO THE PLANNING OFFICE;

16 (b) THE PROPERTY ON WHICH THE STRUCTURE IS LOCATED IS RE-ZONED TO A
17 DISTRICT OTHER THAN A, A-1, B, OR C; OR

18 (c) A SPECIAL LAND USE PERMIT IS GRANTED FOR THE PROPERTY ON WHICH
19 THE STRUCTURE IS LOCATED.

20 1285.03. BICYCLE PARKING GUIDELINES

21 (a) TO THE EXTENT FEASIBLE AND UNLESS OTHERWISE PROVIDED BY THIS
22 CHAPTER OR THE CITY OF LANSING BICYCLE PARKING GUIDELINES
23 PROMULGATED BY THE ZONING ADMINISTRATOR, PROPERTY OWNERS ARE

1 ENCOURAGED TO CONFORM TO THE APBP GUIDELINES, COPIES OF WHICH ARE
2 AVAILABLE IN THE PLANNING OFFICE AND THE CITY CLERK'S OFFICE.

3 (b) DURING THE OPERATING HOURS OF THE STRUCTURE IDENTIFIED IN
4 SECTIONS 1285.04 AND 1285.05, BICYCLE PARKING SPACES REQUIRED BY THIS
5 CHAPTER SHALL BE LIT AT AN ILLUMINATION LEVEL OF AT LEAST .4
6 FOOTCANDLES.

7 (c) BICYCLE PARKING SPACES SHALL BE LOCATED WITHIN 100 FEET OF AN
8 ENTRANCE TO THE STRUCTURE OR INSIDE THE STRUCTURE.

9 (d) BICYCLE PARKING SPACES SHALL BE ADEQUATELY MAINTAINED AND KEPT
10 FREE OF MUD, DEBRIS, ICE, AND SNOW.

11 (e) EACH SHORT-TERM BICYCLE PARKING SPACE PROVIDED PURSUANT TO THE
12 PROVISIONS OF THIS CHAPTER SHALL SUPPORT A BICYCLE IN AN UPRIGHT
13 POSITION; ALLOW BOTH THE BICYCLE FRAME AND THE FRONT WHEEL TO BE
14 LOCKED; BE SECURELY ANCHORED; HAVE A HARD SURFACE, SUCH AS ASPHALT,
15 CONCRETE, OR BRICK PAVERS, WITH DIMENSIONS OF AT LEAST 6 FEET BY 2
16 FEET; BE CONSTRUCTED OF MATERIALS THAT RESIST CUTTING, RUSTING,
17 BENDING, AND DEFORMATION; AND BE INSTALLED IN ACCORDANCE WITH THE
18 CITY OF LANSING BICYCLE PARKING GUIDELINES PROMULGATED BY THE
19 ZONING ADMINISTRATOR BASED ON THE APBP GUIDELINES, MAINTENANCE OF
20 UNIFORMITY AMONG MICHIGAN COMMUNITIES, AND OTHER BEST PRACTICES.

21 (d) LONG-TERM BICYCLE PARKING SPACES PROVIDED PURSUANT TO THE
22 PROVISIONS OF THIS CHAPTER MUST BE PROVIDED IN (1) BICYCLE LOCKERS

1 THAT ENSURE ADEQUATE CLEARANCE FOR SIMULTANEOUS USERS; (2) BICYCLE
2 RACKS IN LOCKED CAGES; OR (3) BICYCLE ROOMS.

3 1285.04. SHORT-TERM BICYCLE PARKING REQUIREMENTS BASED ON LAND USE

4 (a) FOR PURPOSES OF THIS SECTION:

5 (1) EVERY 24 INCHES OF BENCH SEATING SHALL BE COUNTED AS ONE SEAT.

6 (2) NUMBERS RESULTING FROM THE PRESCRIBED FORMULAS SHALL BE

7 ROUNDED UP FROM $\frac{1}{2}$ TO THE NEXT WHOLE NUMBER IN CALCULATING THE

8 NUMBER OF REQUIRED BICYCLE PARKING SPACES.

9 (b) SHORT-TERM BICYCLE PARKING IS NOT REQUIRED ON EXEMPT PROPERTY.

10 ON NON-EXEMPT PROPERTY IN A G-1 OR OVERLAY DISTRICT, THE PROPERTY

11 OWNER SHALL PROVIDE A NUMBER OF SHORT-TERM BICYCLE PARKING SPACES

12 THAT IS AT LEAST 5% OF THE NUMBER OF OFF-STREET PARKING SPACES

13 ACTUALLY PROVIDED.

14 (c) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (b), PROPERTY OWNERS

15 SHALL PROVIDE THE FOLLOWING NUMBER OF SHORT-TERM BICYCLE PARKING

16 SPACES FOR THE BENEFIT OF THE CORRESPONDING SPECIFIED STRUCTURES:

STRUCTURE	REQUIRED NUMBER OF BICYCLE PARKING SPACES
MULTIFAMILY RESIDENTIAL	2 FOR EVERY 10 DWELLING UNITS
CHURCHES AND OTHER PLACES OF WORSHIP	2 FOR EVERY 50 SEATS IN THE MAIN UNIT OF WORSHIP
LODGING	2 FOR EVERY 50 UNITS
ATHLETIC CLUBS AND FITNESS CENTERS	2 FOR EVERY 500 SQUARE FEET OF USABLE FLOOR AREA, WITH A MAXIMUM OF 30
LIBRARIES AND MUSEUMS	
PLANNED DEVELOPMENTS AND SHOPPING CENTERS	
RETAIL STORES NOT OTHERWISE IDENTIFIED	

BANKS AND FINANCIAL INSTITUTIONS	
OFFICES OF MEDICAL PROFESSIONALS, HEALTH CLINICS, AND MEDICAL CENTERS	
GAS STATIONS	
SPORTS ARENAS AND STADIUMS	2 FOR EVERY 250 SEATS, WITH A MAXIMUM OF 30
THEATERS AND AUDITORIUMS	2 FOR EVERY 100 SEATS, WITH A MAXIMUM OF 30
EATING AND DRINKING ESTABLISHMENTS	2 FOR EVERY 24 SEATS
COMMERCIAL PROPERTY NOT OTHERWISE IDENTIFIED	2 FOR EVERY 5,000 SQUARE FEET OF USABLE FLOOR AREA, WITH A MINIMUM OF 2
INDUSTRIAL, MANUFACTURING, WHOLESALE, AND RESEARCH ESTABLISHMENTS	2 FOR EVERY 20,000 SQUARE FEET OF USABLE FLOOR AREA, WITH A MINIMUM OF 2
COMMERCIAL OFF-STREET PARKING FACILITIES	2 FOR EVERY 20 VEHICLE PARKING SPACES, WITH A MAXIMUM OF 30
CONSUMER REPAIR SERVICE ESTABLISHMENTS	2 FOR EVERY 3,000 SQUARE FEET OF USABLE FLOOR AREA, WITH A MINIMUM OF 2 AND A MAXIMUM OF 30
CEMETERIES, MAUSOLEUMS, AND PARKS	2 FOR EVERY 20,000 SQUARE FEET OF LAND, WITH A MAXIMUM OF 10

1285.05. LONG-TERM BICYCLE PARKING REQUIREMENTS BASED ON
EMPLOYMENT AND TRANSIT

(a) FOR PURPOSES OF THIS SECTION, NUMBERS RESULTING FROM THE
PRESCRIBED FORMULAS SHALL BE ROUNDED UP FROM ½ TO THE NEXT WHOLE
NUMBER IN CALCULATING THE NUMBER OF REQUIRED LONG-TERM BICYCLE
PARKING SPACES.

(b) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (c), IN ADDITION TO ANY
REQUIREMENTS IMPOSED BY SECTION 1285.04:

(1) PROPERTY OWNERS ARE NOT REQUIRED TO PROVIDE LONG-TERM BICYCLE PARKING SPACES FOR THE BENEFIT OF STRUCTURES OTHER THAN BUS STATIONS IN WHICH NO MORE THAN 40 EMPLOYEES WORK AT ANY GIVEN TIME.

(2) PROPERTY OWNERS SHALL PROVIDE TWO BICYCLE PARKING SPACES FOR EVERY 40 EMPLOYEES THAT WORK IN A STRUCTURE OTHER THAN A BUS STATION AT ANY GIVEN TIME.

(3) PROPERTY OWNERS SHALL PROVIDE TWO BICYCLE PARKING SPACES FOR EVERY BUS BAY IN A BUS STATION.

(c) LONG-TERM BICYCLE PARKING IS NOT REQUIRED ON EXEMPT PROPERTY. ON NON-EXEMPT PROPERTY IN A G-1 OR OVERLAY DISTRICT, IN ADDITION TO ANY REQUIREMENTS IMPOSED BY SECTION 1285.04, THE PROPERTY OWNER SHALL PROVIDE A NUMBER OF LONG-TERM BICYCLE PARKING SPACES THAT IS AT LEAST 5% OF THE NUMBER OF OFF-STREET PARKING SPACES ACTUALLY PROVIDED.

1285.06. OFFSET OF REQUIRED OFF-STREET PARKING SPACES

THE NUMBER OF OFF-STREET PARKING SPACES REQUIRED BY CHAPTER 1284 WILL BE REDUCED BY ONE SPACE, WITH A MAXIMUM REDUCTION OF 20% OF THE NUMBER OF OFF-STREET PARKING SPACES REQUIRED BY CHAPTER 1284, FOR EACH OF THE FOLLOWING:

(a) EVERY 6 BICYCLE PARKING SPACES PROVIDED IN EXCESS OF THOSE REQUIRED BY THIS CHAPTER;

(b) EVERY 6 SHORT-TERM BICYCLE PARKING SPACES COVERED BY A PERMANENT STRUCTURE APPROVED BY THE ZONING ADMINISTRATOR.

1285.07. VARIANCES

(a) A PROPERTY OWNER MAY SEEK A VARIANCE FROM THE REQUIREMENTS OF THIS SECTION BY SUBMITTING A WRITTEN APPLICATION TO THE BOARD OF ZONING APPEALS AND PAYING A FEE SET BY COUNCIL RESOLUTION. THE APPLICATION MUST:

(1) IDENTIFY ONE OF THE FOLLOWING:

(A) A DEMONSTRABLE FINANCIAL BURDEN THAT WOULD SUBSTANTIALLY IMPAIR THE PROPERTY OWNER'S FINANCIAL ABILITY TO CONSTRUCT OR STRUCTURALLY ALTER THE STRUCTURE; OR

(B) MEASURABLE AND DEMONSTRABLE LACK OF DEMAND FOR THE BICYCLE PARKING SPACES REQUIRED BY THIS CHAPTER, AS DEMONSTRATED BY A CONSUMER SURVEY OR OTHER METHOD ACCEPTABLE TO THE BOARD OF ZONING APPEALS.

(2) SPECIFY THE EXTENT TO WHICH, AND THE MANNER IN WHICH, THE PROPERTY OWNER IS CAPABLE OF AND WILLING TO FULFILL THE OBJECTIVES OF THIS CHAPTER BY PARTIAL COMPLIANCE WITH ITS REQUIREMENTS OR ALTERNATIVE METHODS OF FULFILLING ITS OBJECTIVES.

(b) UPON RECEIPT OF AN APPLICATION MEETING THE REQUIREMENTS OF SUBSECTION (a), THE BOARD OF ZONING APPEALS SHALL EITHER GRANT OR DENY THE VARIANCE, INCLUDING ANY CONDITIONS FOR PARTIAL COMPLIANCE. IN DETERMINING WHETHER TO GRANT OR DENY THE VARIANCE OR GRANT THE VARIANCE SUBJECT TO THE CONDITION OF PARTIAL COMPLIANCE, THE BOARD OF ZONING APPEALS SHALL CONSIDER THE EXTENT TO WHICH THE APPLICANT

HAS DEMONSTRATED ONE OF THE BASES FOR A VARIANCE REQUIRED BY
SUBSECTION (a)(1); THE EXTENT TO WHICH THE APPLICANT HAS
DEMONSTRATED GOOD FAITH BY OFFERING PARTIAL COMPLIANCE OR
ALTERNATIVES PURSUANT TO SUBSECTION (a)(2); THE CHARACTER OF THE
STRUCTURE AND ITS SURROUNDINGS; AND THE IMPACT OF THE VARIANCE ON
THE CHARACTER OF THE STRUCTURE'S SURROUNDINGS AND OWNERS OF
OTHER PROPERTY IN THE VICINITY.

1285.08. DOWNTOWN BICYCLE PARKING PLAN
A PLAN FOR SHORT-TERM BICYCLE PARKING SPACES SERVING EXEMPT
PROPERTY AND NON-EXEMPT PROPERTY IN A G-1 OR OVERLAY DISTRICT SHALL
BE INCLUDED IN THE PUBLIC SERVICE DEPARTMENT'S NON-MOTORIZED PLAN.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be
invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof
other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
immediate effect by City Council.

Approved as to form:

City Attorney
Dated: 05-31-12